

EX PARTE (OCT 16 2003)

HALPRIN TEMPLE

1317 F STREET N W 4TH FLOOR
WASHINGTON, D C 20004
(202) 371-9100 TELEFAX (202) 371-1497

ALBERT HALPRIN
RILEY K TEMPLE
JOEL BERNSTEIN

JANICE OBUCHOWSKI
OF COUNSEL

October 16, 2003

RECEIVED

OCT 16 2003

ORIGINAL

Marlene H Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Re *Progeny LMS, LLC Petition for Rulemaking to Amend Part 90 of the
Commission's Rules Governing Location and Monitoring Service To
Provide Greater Flexibility, RM-10403*

Oral ExParte Presentation

Dear Ms Dortch

On Wednesday, October 15, 2003, Nick Frenzel, Mike McMains, Janice Obuchowski, Albert Halprin and Mark McDowell met on behalf of Progeny LMS, LLC ("Progeny") with Barry Ohlson, Legal Advisor to Commissioner Jonathan Adelstein for spectrum and international issues. The meeting was held to discuss and clarify issues relating to Progeny's proposals for rule changes affecting Location and Monitoring Service ("LMS") in the 902-928 megahertz band. The discussion also focused on the technical showing made in Progeny's White Paper filed in this proceeding and on ways to mitigate any potential interference between licensed and unlicensed uses of the band.

In accordance with Section 1.1206(b) of the Commission's Rules, please accept this original and one copy for submission.

Respectfully yours,


Albert Halprin

cc Barry Ohlson

203-44
LMS/902-928

041